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**To:** Centralized Facsimile Number  
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 Attention: Examiner Anne R. Kubelik

**Telephone:** *[Signature]* **Fax:** (703) 872-9306

**From:** Jan Huss for SAM L. NGUYEN

**Telephone:** (650) 324-7028

**No. of Pages:** 14 (including cover)

**Date:** July 15, 2004

Re: U.S. Patent Application Serial No. 10/070,489  
 Filed: September 17, 2002  
 Title: **NUCLEOTIDE SEQUENCES ENCODING AN INSECTICIDAL PROTEIN COMPLEX FROM SERRATIA**  
 Inventors: GLARE et al  
 Our Reference: 24747-1104US

Please see the accompanying Transmittal Form and Amendment and Response to the Office Communication, mailed on June 28, 2004, for the above referenced application. Thank you.

SV 473411 v1

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PTO/SB/21 (6-99)

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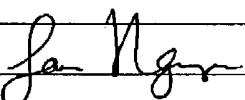
		<b>Application Number</b>	10/070,489
		<b>Filing Date</b>	September 17, 2002
		<b>First Named Inventor</b>	GLARE et al.
		<b>Group/Art Unit</b>	1638
		<b>Examiner Name</b>	Anne R. Kubelik
Total Number of Pages in This Submission	13	Attorney Docket Number	24747-1104 US

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response (12 pages)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

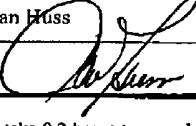
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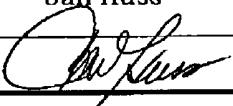
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Signature		Date	July 15, 2004

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Practitioner's Docket No. 24747-1104US

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In re application of: GLARE et al. ) Confirmation No. 6955  
 Serial No.: 10/070,489 ) Group No.: 1638 JUL 15 2004  
 Filed: September 17, 2002 ) Examiner: Anne R. Kubelik  
 For: NUCLEOTIDE SEQUENCES ENCODING )  
 AN INSECTICIDAL PROTEIN COMPLEX )  
 FROM SERRATIA )

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**AMENDMENT AND RESPONSE TO OFFICE COMMUNICATION**

Responsive to the Office Communication mailed on June 28, 2004, in connection with the above-identified patent application, a copy of which is enclosed, please consider the following amendments and remarks.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendment to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.